

EXHIBIT B

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
GREEN STAR ENERGY SOLUTIONS, LLC,

Plaintiff,

-against-

EDISON PROPERTIES, LLC, EDISON
CONSTRUCTION MANAGEMENT, LLC, UA
BUILDERS CORP., PASQUALE SURIANO,
and JOE PIPIA,

Defendants.
-----X

Index No.:

SUMMONS

The Plaintiff designates New York
County as the place of trial.

Venue lies in New York County
because at least one of the Defendants
resides there and because a
substantial part of the conduct in the
complaint occurred there.

To The Above Named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve
a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of
appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons,
exclusive of the day of service (or within 30 days after the service is complete if this summons is
not personally delivered to you within the State of New York); and in case of your failure to
appear or answer, judgment will be taken against you by default for the relief demanded in the
complaint.

Dated: New York, New York
February 26, 2021

Defendants' addresses:


EDISON PROPERTIES, LLC
110 EDISON PLACE, SUITE 300
NEWARK, NEW JERSEY 07102

EDISON CONSTRUCTION MANAGEMENT, LLC
ATTENTION: GARY DORIN
110 EDISON PLACE, SUITE 300
NEWARK, NEW JERSEY 07102

UA BUILDERS CORP.
5 WEST 37TH STREET
12TH FLOOR
NEW YORK, NEW YORK 10018

PASQUALE SURIANO
4 WONDERVIEW WAY
LEBANON, NJ 08833

JOE PIPIA
188 LUDLOW STREET, APT. 3A
NEW YORK, NY 10002



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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
GREEN STAR ENERGY SOLUTIONS, LLC,

Plaintiff,

COMPLAINT

-against-

Index No.:

EDISON PROPERTIES, LLC, EDISON
CONSTRUCTION MANAGEMENT, LLC, UA
BUILDERS CORP., PASQUALE SURIANO,
and JOE PIPIA,

Defendants.

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The Plaintiff, Green Star Energy Solutions, LLC, through its attorneys, Cox Padmore
Skolnik & Shakarchy LLP, complaining of the Defendants, Edison Properties, LLC, Edison
Construction Management, LLC, UA Builders Corp., Pasquale Suriano and Joe Pipia
respectfully shows to this Court and alleges and follows:

PARTIES JURISDICTION, AND VENUE

1. Plaintiff, Green Star Energy Solutions, LLC (“Plaintiff” or “Green Star”) is a
limited liability company organized and existing under the laws of the State of Connecticut,
where it has its principal place of business located in Fairfield County, Connecticut.

2. Upon information and belief, defendant Edison Properties, LLC (“EP LLC”) is a
limited liability company organized and existing under the laws of the State of New Jersey.

3. Upon information and belief, defendant Edison Construction Management, LLC
(“ECM LLC”) is a limited liability company organized and existing under the laws of the State
of New York.

4. Upon information and belief, defendant UA Builders Corp (“UA”) is a corporation organized and existing under the laws of the State of New York.

5. Upon information and belief, defendant Pasquale Suriano (“Suriano”) is an individual domiciled in the State of New Jersey.

6. Upon information and belief, defendant Joe Pipia (“Pipia”) is an individual domiciled in the State of York.

7. Defendants are subject to the personal jurisdiction of this Court because they are residents of the State of New York and/or are domiciled in the State of New York; and/or have conducted, engaged in and carried out business activities within the State of New York; and/or are subject to the personal jurisdiction of this Court pursuant to the New York long-arm statute, New York Civil Practice Law and Rules (“CPLR”) § 302, in that they have: (i) transacted business within the State of New York, (ii) committed tortious acts within the State of New York causing damage and harm in the State of New York, or (iii) engaged in tortious conduct outside of New York and (A) expected or should have expected the acts to have consequences in New York and derived substantial revenue from interstate or international commerce or (B) regularly solicited or did business in New York or regularly engaged in a persistent course of conduct in New York or derived substantial revenue from services rendered in New York, causing damage and harm in the State of New York.

8. Venue is proper pursuant to CPLR § 503 because: (a) at least one of the parties resided in New York County when this action commenced; and/or (b) a substantial part of the events or omissions giving rise to the claims herein occurred in New York County.

FACTUAL ALLEGATIONS

9. This action concerns two construction projects (collectively the “Construction Projects”) where Green Star was hired as a subcontractor in connection with properties owned

and or managed by defendants EP LLC and ECM LLC (together the “Edison Defendants” or “Edison”) located at:

110 Edison Place, Newark, NJ (the “Newark Property”), and

543 West 43rd Street, New York City (the “New York Property”)

(together the “Edison Properties”).

10. Green Star specializes in energy efficiency audits and in designing and installing high-efficiency HVAC systems using the latest technology to drive down energy use.

11. The Edison Defendants began a relationship with Green Star sometime in 2018 and directed their general contractors involved in the Construction Projects to hire Green Star as the HVAC subcontractor for each project.

12. At all relevant times, defendant Pasquale Suriano was employed by Edison and spoke and acted on behalf of Edison with apparent and/or actual authority to speak and act on Edison’s behalf with respect to construction projects in New York and New Jersey.

13. At all relevant times, defendant Joe Pipia was employed by Edison and spoke and acted on behalf of Edison with apparent and/or actual authority to speak and act on Edison’s behalf with respect to construction projects in New York and New Jersey.

110 Edison Place, Newark, NJ

14. In June of 2018, the Edison Defendants contacted Green Star and requested that they act as the HVAC subcontractor on the renovation of the 30,000 square foot Newark Property located at 110 Edison Place, Newark, NJ. Edison wanted Green Star as the subcontractor on the project because the HVAC design and engineering proposed by Green Star offered deep cost savings and installation advantages for the Edison Defendants’ complicated space which was to be their new headquarters.

15. Green Star initially refused to take on the project, because its management was concerned that in the event payments were delayed or slow in arriving, Green Star would suffer significant cash-flow problems. This was due to the fact that Green Star is a boutique company with limited financial resources, and had at that time already taken on \$7 million worth of other projects; thus it would be unable to fund the day-to-day operations of any additional work absent timely progress payments.

16. However, management at Edison, specifically Pasquale Suriano, insisted that Green Star take on the project given that Green Star was already doing three other jobs for Edison, and that to maintain its status as Edison's "preferred" HVAC subcontractor, Green Star would have to take on the job.

17. On or about July 16, 2018, Joe Novella, the CEO of Green Star, had a discussion with Mr. Suriano in which Mr. Novella communicated to Mr. Suriano that Green Star was already committed to other projects and that Green Star would only take on the job if Green Star were paid every month without fail. In his discussion with Mr. Suriano, he was emphatic that Green Star's cash flow was so tight that it would be highly detrimental to Green Star if it were not paid timely every single month.

18. During that conversation, Mr. Suriano assured Mr. Novella that Green Star would be paid timely without fail, if Green Star became the subcontractor on the project to renovate the Newark Property. As discussed below, it is now clear that Mr. Suriano's statements in this regard were false, upon information and belief intentionally false.

19. In direct reliance on Mr. Suriano's assurances that Green Star would get paid timely on a monthly basis, on or about September 18, 2018, Green Star entered into a contract with Hollister Construction Services LLC ("Hollister") for Green Star to act as HVAC

subcontractor in connection with the general construction contract Hollister had entered into with defendants EP LLC and/or ECM LLC, for the renovation of the Newark Property.

20. Despite Mr. Suriano's assurances that Green Star would get paid timely on a monthly basis, Green Star was never paid in a timely manner, including a four-month period between progress payments from October of 2018 through February of 2019.

21. Due to various problems with management of the renovation project by Hollister, including multiple permitting issues, the project dragged on into 2019 despite initially having a target completion date for the end of 2018.

22. Upon information and belief, due to the Edison Defendants' dissatisfaction with Hollister's handling of the project, in or about March of 2019, the Edison Defendants took over direct management of the project from Hollister, with an employee of the Edison Defendants named Robert Gerardo taking over the duties of managing the renovation construction. Although Hollister was still technically the general contractor of record, and still had workers and subcontractors on site, the day-to-day management of the project was taken over directly by the Edison Defendants.

23. Through March 13, 2019, progress payments were made to Green Star by Hollister, totaling approximately \$593,895.73.

24. However, on April 2, 2019, EP LLC made payment directly to Green Star in the amount of \$156,275.57.

25. In April and May of 2019, Edison was putting tremendous pressure on Green Star to complete the HVAC work on the project.

26. However, Green Star's ability to complete the work was hampered by delays caused by Edison, Hollister and other subcontractors.

27. In addition, upon information and belief, Edison, by its project manager, Robert Gerardo, intentionally hindered Green Star's progress in an attempt to sabotage Green Star's ability to adhere to the project schedule, by withholding critical information and limiting access to the work site.

28. Despite these impediments, in the final month Green Star maintained a full crew and effectively completed the contracted work prior to the "move-in" date of June 1, 2019.

29. All that remained as of June 1, 2019, was minor work related to ventilation equipment – which work had been pushed back due to delays caused by Hollister and other subcontractors on the project, and upon information and belief, the intentional actions of Edison discussed above.

30. On, May 30, 2019, Green Star's final scheduled work day prior to building occupancy, Green Star had only to finish installing two fire dampers to complete all work it had been subcontracted to do, with the exception of potential warranty work.

31. Despite this, Mr. Suriano on behalf of Edison emailed to Green Star on May 30, 2019, a message threatening termination. (Copy attached as Exhibit A.) The message – which did not constitute formal notice of termination under the contract – was false, upon information and belief intentionally false, as it did not have any factual basis with respect to the status of the project at that time and the work Green Star had performed. As alluded to in Mr. Suriano's email, Green Star was then locked-out of the project site, in breach of Green Star's subcontract with Hollister, making it impossible for Green Star to finish work or to perform any warranty work as provided for under the subcontract.

32. Further, Green Star had no prior formal notice that it would be “terminated” and was not provided an opportunity to address any deficiencies, as was required under its subcontract with Hollister.

33. As of May 30, 2019, Green Star’s work under the project was essentially complete and the heating and AC equipment were in full operation, with only minor “punch list” work remaining. In subsequent false emails, upon information and belief intentionally false, Mr. Suriano stated that Green Star had “abandoned” the job – when in fact Green Star had been locked-out by Edison – and that Green Star owed “back charges” for corrective work in excess of the remaining balance owed on Green Star’s final invoice. (Copies attached as Exhibit B.) No further payments were ever made to Green Star.

34. Despite Green Star having submitted all required paperwork and backup documentation, Green Star’s final invoice on the contract was never paid by either Hollister or the Edison Defendants, leaving a balance due and owing of \$220,060.58.

35. To further its predatory practices against Green Star, in the months prior to completion, several of Green Star’s on-site technicians were solicited for employment directly by the Edison Defendants by their employees Robert Gerardo, Joe Pipia, and Brian Harvey, in an attempt to cut out Green Star from the project and to complete the project with employees hired directly by Edison.

36. As a result of these solicitations, Edison successfully recruited Green Star’s lead technician Domingus Gutierrez whose responsibilities on the project (and Green Star’s other projects) was the final commissioning of the HVAC system, which entails the crucially important final phase where all of the installed HVAC equipment is programmed and configured to work together properly prior to start-up and final delivery.

37. On or about June 14, 2019, in an electronic mail with Joe Novella of Green Star, Pasquale Suriano stated falsely that Edison had not in fact hired Domingus Gutierrez (copy attached as Exhibit C); upon information and belief this statement was intentionally false.

38. Upon information and belief, the Edison Defendants, Mr. Suriano, Mr. Gerardo and Mr. Pipia conspired to defraud Green Star of the final amount due, by fraudulently inducing Green Star to sign the contract with Hollister and to work on the Newark Property project with the prior intentions of withholding payments from Green Star and the end of its work and without basis “terminating” Green Star from the project. Upon information and belief, in furtherance of this fraudulent inducement, these individuals conspired to deliberately sabotage Green Star’s work on the project, in order to fabricate an excuse to “terminate” Green Star at the very end of the project and in conjunction with the fraudulent inducement to Green Star to enter into the project, to terminate Green Star and to withhold payment.

39. Green Star made several requests to both Hollister and Edison for payment of its final invoice. In email correspondence between Mr. Novella of Green Star and Mr. Suriano of Edison, Mr. Suriano stated that Edison was refusing to make the final payment.

40. At no time did Edison provide any documentary or other evidence to Green Star as to the reasons why Edison refused to make the final payment, nor did Edison or Hollister ever provide Green Star with any formal written notice of deficiency or opportunity to cure under the subcontract, despite Mr. Suriano’s claims that Edison would provide such backup to Green Star.

41. Nor was Green Star given any opportunity to cure or conduct corrective work as permitted under its contract with Hollister and standard industry practice.

42. Upon information and belief the Edison Defendants and Mr. Suriano intentionally lied to and misled Mr. Novella of Green Star in connection with Edison’s promises

to ensure timely payments during the project, which were not forthcoming during the project, nor at the completion of the project.

43. At all relevant times, Mr. Suriano and Edison were well aware of the financial distress Green Star was under as a result of Edison's failure to make timely progress payments as promised, such that they knew that withholding payments would cause severe and irreparable damage to Green Star's operations and reputation. (Copies of emails attached hereto as Exhibit D.)

44. Upon information and belief, Mr. Suriano of Edison intentionally lied to Mr. Novella of Green Star with respect to the reasons why Edison was refusing to make the final payment to Green Star.

45. Upon information and belief, the foregoing false statements relating to the Newark Property, in addition to being part of Edison's plan not to pay Green Star with respect to the Newark Property, were part and parcel of the fraud with respect to the New York Property in that they were part of a pre-conceived plan and course of action designed to cripple Green Star and deprive it of adequate resources to continue its business and to vindicate its rights against Edison.

46. Upon information and belief, in late 2019, Hollister filed for protection under Chapter 11 of the bankruptcy laws of the United States and is currently in bankruptcy proceedings in the United States Bankruptcy Court for District of New Jersey.

543 West 43rd Street

47. On or about November 30, 2018, Green Star entered into a contract with defendant UA to act as the HVAC subcontractor in connection with UA's general contract with Edison for the renovation of the New York Property located at 543 West 43rd Street, New York, NY.

48. Despite Green Star having completed all requirements under its contract with UA with respect to the work it conducted on the project, UA and Edison have refused to pay it the final balance owed of approximately \$71,177.95.

49. On or about January 16, 2020, Green Star met with UA management at their offices to review Green Star's final payment requisition. No back charges were presented at that meeting and final payment was to be made upon release and final payment to UA by Edison.

50. Despite numerous requests for payment, UA and Edison refused to pay Green Star's final requisition. Neither Edison nor UA has provided any documentation or backup as to any reasons why payment should not be made in full, nor have they made any formal notice to Green Star of any alleged default pursuant to its contract with UA.

51. On or about July 27 and July 28, 2020, Joe Novella of Green Star exchanged email messages with Mr. Suriano and Mr. Pipia of Edison, in which both Mr. Suriano and Mr. Pipia made false statements that Green Star did not properly perform its work on the New York Property project, which statements, upon information and belief, were intentionally false. (Copy attached as Exhibit E.)

52. On or about July 30, 2020, Joe Novella of Green Star participated in a telephone conference call with Mr. Suriano and Mr. Pipia of Edison regarding the outstanding balance due.

53. On this telephone conference, Mr. Suriano and Mr. Pipia each made statements that "back charges nullified" any amounts due to Green Star, and in addition, Mr. Pipia made the false statement that he had attempted to contact Green Star for warranty work and was not able to reach anybody on the telephone or by email; upon information and belief the foregoing statements were intentionally false.

54. A week later, on or about August 6, 2020, after Green Star had waited for payment for nearly seven (7) months, Mr. Suriano delivered an email to Green Star on behalf of Edison, in which he made the false statement that back charges and other expenses nearly equaled the outstanding amount due to Green Star; upon information and belief the foregoing statement was intentionally false. Mr. Suriano's email also offered to pay only \$10,500 as "final settlement" of to satisfy Green Star's outstanding invoice. (Copy attached hereto as Exhibit F).

55. No evidence or documentation of these back charges and other expenses was ever supplied to Green Star.

56. Upon information and belief, through Mr. Suriano and Mr. Pipia, Edison conspired (once again) to defraud Green Star of its final payment on a construction project, but this time by conspiring with UA to defraud Green Star.

57. Upon information and belief, the foregoing false statements relating to the New York Property, in addition to being part of Edison's plan not to pay Green Star with respect to the New York Property, were part and parcel of the fraud with respect to the Newark Property in that they were part of a pre-conceived plan and course of action designed to cripple Green Star and deprive it of adequate resources to continue its business and to vindicate its rights against Edison.

AS AND FOR THE FIRST CAUSE OF ACTION
(Fraud Against the Edison Defendants, Suriano and Pipia)

58. Green Star realleges the allegations set forth in the prior paragraphs as though fully set forth herein.

59. Mr. Suriano and Mr. Pipia, as employees of and on behalf of Edison, repeatedly made material false statements of fact to Green Star, upon information and belief intentionally

false, with respect to the timely payment of Green Star's invoices that would be issued in connection with the Construction Projects.

60. Upon information and belief, Mr. Suriano, Mr. Pipia and Edison made false statements of fact, upon information and belief intentionally false, that concealed the purpose and intent of fraudulently inducing Green Star to enter into its contracts on the Construction Projects.

61. Specifically, as discussed above, on or about July 16, 2018, Mr. Suriano assured Mr. Novella that Green Star would be paid timely without fail on the Newark Property project. Upon information and belief, this statement by Mr. Suriano on behalf of Edison was intentionally false and misleading and designed to induce Green Star to sign the contract with Hollister and to work on the Newark Property project and any other subsequent project such as the New York Property project, with the prior intentions of: (i) withholding payments from Green Star at the end of its work on each Construction Project in conjunction with further material false statements of fact, which upon information and belief were intentionally false and designed to colorably justify the fraudulent withholding of payments; and (ii) without basis "terminating" Green Star from one more of such Construction Projects.

62. Further, as discussed above, on or about May 30, 2019, Mr. Suriano on behalf of Edison emailed to Green Star a message containing false statements, upon information and belief intentionally false, with respect to the status of the project at that time and the work Green Star had performed, as alleged grounds for threatening "termination" of Green Star's subcontract on the Newark Property project, alleged justification for locking-out Green Star from the project site, and alleged justification for refusing to pay Green Star's final invoice. Upon information and belief, these statements by Mr. Suriano on behalf of Edison were intentionally false.

63. As discussed above, on or about July 27 and July 28, 2020, Joe Novella of Green Star exchanged email messages with Mr. Suriano and Mr. Pipia of Edison, in which both Mr. Suriano and Mr. Pipia made false statements, upon information and belief intentionally false, that Green Star did not properly perform its work on the New York Property project.

64. As discussed above, on or about July 30, 2020, Mr. Suriano and Mr. Pipia each made false statements, upon information and belief intentionally false, to Mr. Novella that “back charges nullified” any amounts due to Green Star on the New York Property project. In addition, on that day Mr. Pipia made the false statement, upon information and belief, intentionally false, that he had attempted to contact Green Star for warranty work for the New York Property project, and was not able to reach anybody on the telephone or by email.

65. In entering into its subcontracts with Hollister and UA regarding the Construction Projects, Green Star relied on the above false statements by Mr. Suriano, Mr. Pipia and Edison made prior to or on the dates of entry into its subcontracts with Hollister and UA.

66. In performing and continuing to perform its work regarding the Construction Projects, Green Star relied upon the above false statements by Mr. Suriano, Mr. Pipia and Edison made prior to the dates Green Star ceased work on the Construction Projects.

67. Green Star has been damaged as a result of Mr. Suriano’s, Mr. Pipia’s and the Edison Defendants’ fraudulent and intentional material false statements of fact in an amount to be determined at trial.

AS AND FOR THE SECOND CAUSE OF ACTION
(Aiding and Abetting Fraud against UA)

68. Green Star realleges the allegations set forth in the prior paragraphs as though fully set forth herein.

69. As discussed above and set forth under the heading “Factual Allegations” and in the First Cause of Action, Mr. Suriano and Mr. Pipia, as employees of and on behalf of Edison, repeatedly made material false statements of fact to Green Star which, upon information and belief, were intentionally false with respect to the timely payment of Green Star’s invoices that would be issued in connection with the Construction Projects, for the purpose of fraudulently inducing Green Star to enter into contracts for the Construction Projects with the prior intentions of: (i) withholding payments from Green Star at the end of its work on each Construction Project in conjunction with further material false statements of fact, which upon information and belief were intentionally false and designed to colorably justify the fraudulent withholding of payments; and (ii) without basis “terminating” Green Star from one more of such Construction Projects.

70. In furtherance of and without limiting the foregoing, on or about July 27 and July 28, 2020, Joe Novella of Green Star exchanged email messages with Mr. Suriano and Mr. Pipia of Edison, in which both Mr. Suriano and Mr. Pipia made false statements, upon information and belief intentionally false, that Green Star did not properly perform its work on the New York Property project.

71. In furtherance of and without limiting the foregoing, on or about July 30, 2020, Mr. Suriano and Mr. Pipia each made false statements, upon information and belief intentionally false, to Mr. Novella that “back charges nullified” any amounts due to Green Star on the New York Property project. In addition, on that day Mr. Pipia made the false statement, upon information and belief, intentionally false, that he had attempted to contact Green Star for warranty work for the New York Property project, and was not able to reach anybody on the telephone or by email.

72. Upon information and belief, UA had actual knowledge of the above false, upon information and belief intentionally false, statements made by Suriano, Pipia and Edison for the purposes, inter alia, of defrauding Green Star of its final progress payment on the New York Property project.

73. UA provided substantial assistance to Suriano, Pipia and Edison with respect to defrauding Green Star of its final progress payment on the New York Property project by failing to make payment to Green Star with respect to the final progress payment, which proximately caused the harm to Green Star on which the fraud in the First Cause of Action is predicated.

74. Green Star has been damaged as a result of UA's aiding and abetting the fraud committed by Suriano, Pipia and Edison, in an amount to be determined at trial.

AS AND FOR THE THIRD CAUSE OF ACTION

(Tortious Interference with Contracts against the Edison Defendants, Suriano and Pipia)

75. Green Star realleges the allegations set forth in the prior paragraphs as though fully set forth herein.

76. Green Star had valid contracts with Hollister and UA to act as the subcontractor on the Newark Property project and the New York Property project.

77. The Edison Defendants, Suriano and Pipia each had knowledge of those contracts.

78. Hollister breached its contract with Green Star on the Newark Property project, by failing to make payment to Green Star on its final requisition. In addition, Hollister breached its contract with Green Star by failing to allow Green Star onto the project site and failing to seek warranty work from Green Star.

79. UA breached its contract with Green Star, by failing to make payment to Green Star on its final requisition. In addition, UA breached its contract with Green Star by failing to seek warranty work from Green Star.

80. Upon information and belief, the Edison Defendants, Suriano and Pipia each intentionally procured Hollister's breach of its contract with Green Star on the Newark Property project, by taking the actions and making the fraudulent and false statements described above, including, without limitation, refusing to make payment to Hollister on the amounts owed for the work performed by Green Star, instructing Hollister to lock-out Green Star from the project site, and instructing Hollister to use a different subcontractor for warranty work, which actions were grounded in material part on fraudulent and false accusations and statements regarding purported failure to perform by Green Star.

81. Upon information and belief, the Edison Defendants, Suriano and Pipia each intentionally procured UA's breach of its contract with Green Star on the New York Property project, by taking the actions and making the fraudulent and false statements described above, including, without limitation, refusing to make payment to UA on the amounts owed for the work performed by Green Star, and instructing UA to use a different subcontractor for warranty work which actions were grounded in material part on fraudulent and false accusations and statements regarding purported failure to perform by Green Star.

82. Green Star has been damaged as a result of Edison's, Suriano's and Pipia's fraudulent and tortious inducement to breach and interference with the contracts between Green Star and Hollister and UA respectively, in an amount to be determined at trial.

AS AND FOR THE FOURTH CAUSE OF ACTION
(Quantum Meruit against the Edison Defendants as to the Newark Property Project)

83. Green Star realleges the allegations set forth in the prior paragraphs as though fully set forth herein.

84. Green Star designed and installed the HVAC system for the Newark Property.

85. Green Star rendered these services and provided labor and equipment in good faith that it would be fully compensated for its work.

86. Edison Properties accepted the benefits of the work on the HVAC system, and repeatedly promised to ensure timely and full payments to Green Star in connection with the work, and made a direct progress payment to Green Star in that regard.

87. Edison Properties accepted the benefits of the work on the HVAC system.

88. Green Star expected to be compensated for all of the labor, equipment and work it performed.

89. The reasonable value of the labor, equipment and work rendered is \$1.1 million.

90. Green Star received payments totaling \$879,939.42.

91. Green Star is still owed \$220,060.58.

92. The \$220,060.58 remains unpaid and outstanding, plus pre-judgement interest that continues to accrue.

93. Green Star is entitled to a judgment in its favor against the Edison Defendants for quantum meruit damages in an amount to be proven at trial.

AS AND FOR THE FIFTH CAUSE OF ACTION
(Breach of Contract Against the Edison Defendants – Third Party Beneficiary as to the Newark Property Project)

94. Green Star realleges the allegations set forth in the prior paragraphs as though fully set forth herein.

95. Hollister and one or both of the Edison Defendants entered into a general construction contract in connection with the renovation of the Newark Property (the “General Contract”).

96. Upon information and belief, Green Star is an intended third-party beneficiary of the General Contract, in that the Edison Defendants and Hollister repeatedly made promises and

guarantees to Green Star in conjunction with the General Contract that it would be paid timely on a monthly basis. In that regard, Edison made a direct progress payment to Green Star.

97. Upon information and belief, Edison never made final payment to Hollister.

98. Green Star is currently unable to attach a copy of the General Contract because it does not have possession of it.

99. Upon information and belief, Edison breached the General Contract by refusing to make final payment to Hollister on the Newark Property project.

100. As a result of Edison's breach of the General Contract, Green Star has incurred damages of \$220,060.58, plus pre-judgment interest as it continues to accrue.

101. Green Star is entitled to a judgment in its favor against the Edison Defendants in an amount to be proven at trial.

AS AND FOR THE SIXTH CAUSE OF ACTION
(Breach of Contract against UA)

102. Green Star realleges the allegations set forth in the prior paragraphs as though fully set forth herein.

103. Green Star performed all of its required obligations under its subcontract with UA.

104. By failing to make final payment to Green Star on its final requisition, UA has breached its subcontract with Green Star.

105. UA performed its subcontract with Green Star in bad faith by conspiring with Edison to avoid payment to Green Star.

106. Green Star's damages are for \$71,177.95 as per its final requisition.

107. Green Star is entitled to a judgment in its favor against UA in an amount to be proven at trial.

AS AND FOR THE SEVENTH CAUSE OF ACTION

(Quantum Meruit against the Edison Defendants as to the New York Property Project)

108. Green Star realleges the allegations set forth in the prior paragraphs as though fully set forth herein.

109. Green Star designed and installed the HVAC system for the New York Property project.

110. Green Star rendered these services and provided labor and equipment in good faith that it would be fully compensated for its work.

111. Edison accepted the benefits of the work on the HVAC system, and repeatedly promised to ensure timely and full payments to Green Star in connection with the work.

112. Edison accepted the benefits of the work on the HVAC system.

113. Green Star expected to be compensated for all of the labor, equipment and work it performed.

114. The reasonable value of the labor, equipment and work rendered is \$825,000.

115. Green Star received payments totaling \$755,833.95

116. Green Star is still owed \$71,177.95.

117. The \$71,177.95 remains unpaid and outstanding, plus pre-judgement interest that continues to accrue.

118. Green Star is entitled to a judgment in its favor against the Edison Defendants for quantum meruit damages in an amount to be proven at trial.

WHEREFORE, Plaintiff, GREEN START SOLUTIONS LLC, demands judgment:

A. On Plaintiff's First Cause of Action against the Edison Defendants, Suriano and Pipia, a judgment in an amount to be determined at trial, together with interest, fees and costs.

B. On Plaintiff's Second Cause of Action against UA, a judgment in an amount to be determined at trial, together with interest, fees and costs..

C. On Plaintiff's Third Cause of Action against the Edison Defendants, Suriano and Pipia, a judgment in an amount to be determined at trial, together with interest, fees and costs.

D. On Plaintiff's Fourth Cause of Action against the Edison Defendants as to the Newark Property Project, a judgment in an amount no less than \$220,060.58, together with interest, fees and costs.

E. On Plaintiff's Fifth Cause of Action against the Edison Defendants as to the Newark Property Project, a judgment in an amount no less than \$220,060.58, together with interest, fees and costs.

F. On Plaintiff's Sixth Cause of Action against UA, a judgment in an amount no less than \$71,177.95, together with interest, fees and costs.

G. On Plaintiff's Seventh Cause of Action against the Edison Defendants, a judgment in an amount no less than \$71,177.95, together with interest, fees and costs.

H. For such other and further relief as the Court deems just and proper, including without limitation, awarding Plaintiff its compensatory, consequential, and special damages including, without limitation, its lost profits, as well as exemplary and treble damages, as well as punitive damages based on the egregious intentional and willful misconduct of Defendants, as well as Plaintiffs' reasonable attorneys' fees and costs, all together with pre and post judgment interest, as provided by law.

Dated: February 26, 2021



Ralph Gaboury
Laleh Hawa
COX PADMORE SKOLNIK & SHAKARCHY LLP

Attorneys for Plaintiff

630 Third Avenue, 23rd Floor
New York, NY 10017
P: (212) 953-6633
F: (212) 949-6943
E: gaboury@cpsslaw.com
E: hawa@cpsslaw.com

EXHIBIT A

From: Pasquale Suriano <psuriano@edprop.com>
Sent: Thursday, May 30, 2019 4:00 PM
To: Tom Esposito; Joe Novella
Cc: Robert Gerardo; Roosevelt Shelby; Mazen Batarseh; Pasquale Suriano; Joe Pipia; Kevin Gallen
Subject: Edison Offices - Ironside
Attachments: Re: 110 Edison update 5_15_19 (50.2 KB); Untitled attachment 315155.eml (6.10 MB)

Flag Status: Flagged

Categories: DOCKET

Joe/Tom,

It is approaching June 1. The horror stories I've heard about your performance, both from my people and Mitsubishi (and your own employees who haven't gotten paid) have reached the end. The attached pictures show you what the MERs look like as of today. We are moving in this weekend and we do not have code required OA coming to the offices.

Please consider this email your termination of your responsibilities. Do not call me to discuss.

Kevin – I have asked Robert to speak to another contractor to complete. Can you please come to the site on Monday to review what's left with the new contractor to ensure design compliance. I am very regretful I was talked into the ERV units instead of sticking with DOAS units as designed.

Thank you.

EXHIBIT B

From: Pasquale Suriano <psuriano@edprop.com>
Sent: Monday, July 15, 2019 3:31 PM
To: Joe Novella; Mazen Batarseh; Robert Gerardo
Subject: RE: 110 Edison

Flag Status: Flagged

Joe,
The estimated backcharge to complete what you left behind is \$175,000 from the contractor + Mitsubishi + Gallen.
We'll advise when it is 100% complete.

Pasquale Suriano | Executive Vice President of Engineering & Construction
Edison Properties | 110 Edison Place – Suite 300 | Newark, NJ 07102
Direct (973) 849-2613

EDISON PROPERTIES



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OFFICES

HIPPODROME
NYC

manhattan
mini storage

IRONSIDE
NEWARK

ELUDLOW

ReadySet!

From: Joe Novella <joenovella@gogreenstar.com>
Sent: Monday, July 15, 2019 3:26 PM
To: Pasquale Suriano <psuriano@edprop.com>; Mazen Batarseh <mazenb@edprop.com>
Subject: 110 Edison

Pasquale and Mazen,

We have not received any payment from Hollister which put's us out three months since getting any payment on the project. Hollister is not providing much information either. This has become a financial hardship for us, can you please provide us with any information as to how this is going to ultimately be handled. The balance of contract is \$236,418.

Thanks,
Joe

Joe Novella
CEO, Founder
203-947-9335

Building Scientist



From: Pasquale Suriano <psuriano@edprop.com>
Sent: Monday, July 15, 2019 3:40 PM
To: Joe Novella; Michael Marzouk; Mazen Batarseh; Robert Gerardo
Subject: RE: 110 Edison

Flag Status: Flagged

We will send once all detail is received.

Pasquale Suriano | Executive Vice President of Engineering & Construction
Edison Properties | 110 Edison Place – Suite 300 | Newark, NJ 07102
Direct (973) 849-2613

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ReadySet!

From: Joe Novella <joenovella@gogreenstar.com>
Sent: Monday, July 15, 2019 3:38 PM
To: Pasquale Suriano <psuriano@edprop.com>
Subject: Re: 110 Edison

Pasquale,
Do you have a detail of the back charges?

Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Mon, Jul 15, 2019 at 3:30 PM Pasquale Suriano <psuriano@edprop.com> wrote:

Joe,

The estimated backcharge to complete what you left behind is \$175,000 from the contractor + Mitsubishi + Gallen.

We'll advise when it is 100% complete.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 110 Edison Place – Suite 300 | Newark, NJ 07102

Direct (973) 849-2613



From: Joe Novella <joenovella@gogreenstar.com>

Sent: Monday, July 15, 2019 3:26 PM

To: Pasquale Suriano <psuriano@edprop.com>; Mazen Batarseh <mazenb@edprop.com>

Subject: 110 Edison

Pasquale and Mazen,

We have not received any payment from Hollister which put's us out three months since getting any payment on the project. Hollister is not providing much information either. This has become a financial hardship for us, can you please provide us with any information as to how this is going to ultimately be handled. The balance of contract is \$236,418.

Thanks,

Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



From: Pasquale Suriano <psuriano@edprop.com>
Sent: Wednesday, July 17, 2019 2:29 PM
To: Joe Novella
Cc: Mazen Batarseh; Michael Marzouk; Robert Gerardo; Joe Pipia
Subject: RE: FW: 110 EDISON JOB

Flag Status: Flagged

Categories: DOCKET

You're kidding right? You abandoned the project, left us with a pile of ____ to complete, we're getting unpaid invoices that we had no knowledge of, etc. What us is out there??? Do you need to hear more?

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 110 Edison Place – Suite 300 | Newark, NJ 07102

Direct (973) 849-2613

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ReadySet!

From: Joe Novella <joenovella@gogreenstar.com>
Sent: Wednesday, July 17, 2019 2:12 PM
To: Pasquale Suriano <psuriano@edprop.com>
Cc: Mazen Batarseh <mazenb@edprop.com>; Michael Marzouk <MichaelM@edprop.com>; Robert Gerardo <RobertG@IronsideNewark.com>
Subject: Re: FW: 110 EDISON JOB

Pasquale,

Thats fine, are the ERV's in operation, is the system working okay?

I don't know what other back charges you have but including the Mitsubishi equipment credit our final req is \$236,000. Is there any way we could get even a small partial payment?

Thanks,
Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Wed, Jul 17, 2019 at 12:45 PM Pasquale Suriano <psuriano@edprop.com> wrote:

This invoice will be paid directly and backcharged to your account, + mark up for processing.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 110 Edison Place – Suite 300 | Newark, NJ 07102

Direct (973) 849-2613



From: Kevin Gallen <kevin@gallenengineering.com>

Sent: Tuesday, July 16, 2019 4:40 PM

To: Pasquale Suriano <psuriano@edprop.com>; Robert Gerardo <RobertG@IronsidesNewark.com>

Subject: Fwd: 110 EDISON JOB

Pasquale,

Per our conversation, see below and attached.



Kevin Gallen, PE

President

Gallen Engineering LLC

(917) 428-6396

kevin@gallenengineering.com

www.gallenengineering.com

* * * Office Hours: 9:30am-4:30pm, Monday-Friday * * *

----- Forwarded message -----

From: **Herb Marone** <hmarone@airequipmentllc.com>

Date: Thu, Jul 11, 2019 at 10:17 AM

Subject: 110 EDISON JOB

To: tim.greiner@am.jll.com <tim.greiner@am.jll.com>, frank.recine@am.jll.com <frank.recine@am.jll.com>

Cc: kevin@gallenengineering.com <kevin@gallenengineering.com>

Good morning,

Back In April of this year we supplied 2 ERV units to Greenstar Energy Solutions for a job located at 110 Edison Place (see attached invoice). We are still owed a balance of \$11,677.23

I just learned that Greenstar Energy Solutions is owed hundreds of thousands of dollars for this job.

We are a small supplier out of CT and cannot wait 90 plus days to get paid. We will have no choice but to put a lien on the property if we are not paid the balance due.

Any assistance you can provide in this matter would be greatly appreciated.

Thank you,
Herb

Herbert Marone
Controller

DIRECT LINE: 860-709-9744

hmarone@airequipmentllc.com

From: Joe Novella <joenovella@gogreenstar.com>
Sent: Wednesday, July 17, 2019 2:37 PM
To: Pasquale Suriano
Subject: Re: FW: 110 EDISON JOB

Flag Status: Flagged

We absolutely did not abandon the project, The entire VRF system was fully operational, we had one day of work on May 30th to install the ERV dampers and my crew was there THAT morning when we were kicked off the job without notice. Even after this we cooperated with any requests made and were available to perform additional work. Nobody from Edison ever gave us a punch list or communicated in any way.

I told the ERV supplier to contact you directly as we don't have any working capital at this time.

Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Wed, Jul 17, 2019 at 2:29 PM Pasquale Suriano <psuriano@edprop.com> wrote:

You're kidding right? You abandoned the project, left us with a pile of ____ to complete, we're getting unpaid invoices that we had no knowledge of, etc. What is out there??? Do you need to hear more?

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 110 Edison Place – Suite 300 | Newark, NJ 07102

Direct (973) 849-2613

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NEWARK

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ReadySet!

From: Joe Novella <joenovella@gogreenstar.com>

Sent: Wednesday, July 17, 2019 2:12 PM

To: Pasquale Suriano <psuriano@edprop.com>

Cc: Mazen Batarseh <mazenb@edprop.com>; Michael Marzouk <MichaelM@edprop.com>; Robert Gerardo <RobertG@IronsidesNewark.com>

Subject: Re: FW: 110 EDISON JOB

Pasquale,

Thats fine, are the ERV's in operation, is the system working okay?

I don't know what other back charges you have but including the Mitsubishi equipment credit our final req is \$236,000. Is there any way we could get even a small partial payment?

Thanks,

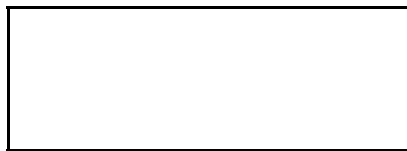
Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Wed, Jul 17, 2019 at 12:45 PM Pasquale Suriano <psuriano@edprop.com> wrote:

This invoice will be paid directly and backcharged to your account, + mark up for processing.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 110 Edison Place – Suite 300 | Newark, NJ 07102

Direct (973) 849-2613

From: Kevin Gallen <kevin@gallenengineering.com>

Sent: Tuesday, July 16, 2019 4:40 PM

To: Pasquale Suriano <psuriano@edprop.com>; Robert Gerardo <RobertG@IronsidesNewark.com>

Subject: Fwd: 110 EDISON JOB

Pasquale,

Per our conversation, see below and attached.

Kevin Gallen, PE

President

Gallen Engineering LLC

(917) 428-6396

kevin@gallenengineering.com

www.gallenengineering.com

*** Office Hours: 9:30am-4:30pm, Monday-Friday ***

----- Forwarded message -----

From: **Herb Marone** <hmarone@airequipmentllc.com>

Date: Thu, Jul 11, 2019 at 10:17 AM

Subject: 110 EDISON JOB

To: tim.greiner@am.jll.com <tim.greiner@am.jll.com>, frank.recine@am.jll.com <frank.recine@am.jll.com>

Cc: kevin@gallenengineering.com <kevin@gallenengineering.com>

Good morning,

Back In April of this year we supplied 2 ERV units to Greenstar Energy Solutions for a job located at 110 Edison Place (see attached invoice). We are still owed a balance of \$11,677.23

I just learned that Greenstar Energy Solutions is owed hundreds of thousands of dollars for this job.

We are a small supplier out of CT and cannot wait 90 plus days to get paid. We will have no choice but to put a lien on the property if we are not paid the balance due.

Any assistance you can provide in this matter would be greatly appreciated.

Thank you,
Herb

Herbert Marone
Controller

DIRECT LINE: 860-709-9744

hmarone@airequipmentllc.com

EXHIBIT C

From: Pasquale Suriano <psuriano@edprop.com>
Sent: Friday, June 14, 2019 3:32 PM
To: Joe Novella; Bryan Antoncic
Cc: Joe Pipia; Tom Esposito; bradleyd@uabuildersgroup.com; Tom Kwon; Satyam Shah
Subject: RE: 543 W 43 rd street it room HVAC unit

Categories: DOCKET

Do not make accusations, especially in writing, you know nothing about! Maybe your employees would have stayed with you if you paid them.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 100 Washington St. | Newark, NJ 07102

Direct (973) 849-2613

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ReadySet!

From: Joe Novella <joenovella@gogreenstar.com>
Sent: Friday, June 14, 2019 3:05 PM
To: Bryan Antoncic <bryan@uabuildersgroup.com>
Cc: Joe Pipia <JoeP@edprop.com>; Tom Esposito <tomesposito@gogreenstar.com>; bradleyd@uabuildersgroup.com;
Pasquale Suriano <psuriano@edprop.com>; Tom Kwon <TomK@ManhattanMiniStorage.com>; Satyam Shah
<SatyamS@ManhattanMiniStorage.com>
Subject: Re: 543 W 43 rd street it room HVAC unit

No we don't, unfortunately our lead Mitsubishi service tech was poached by either Edison or one of their contractors at our Ironside Newark job with them a couple of weeks ago. The only other Mitsubishi tech we have in on vacation so we can't do an emergency call.

Sorry,
Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Fri, Jun 14, 2019 at 3:02 PM Bryan Antoncic <bryan@uabuildersgroup.com> wrote:

Joe/Tom,

Do you have anyone available in the area that can service this unit?

Thank you,

Bryan Antoncic

> On Jun 14, 2019, at 2:50 PM, Joe Pipia <JoeP@edprop.com> wrote:

>

> Brad

> Please be advised that the IT room at 543 W 43rd street is not working and requires immediate attention .

> The equipment in the IT is very expensive and requires a temp of 72 degrees to be maintained at all times.

> Please send a service tech ASAP.

>

>

>

> Joseph Pipia

> Edison Construction Management

> 188 Ludlow street

> New York NY 10002

> Cell # 516 457-4772

>

EXHIBIT D

From: Tom Esposito <tomesposito@gogreenstar.com>
Sent: Friday, October 12, 2018 10:17 AM
To: Marchese, Ed; Pasquale Suriano; Mazen Batarseh; Bruce Benson; Joe Novella
Subject: *** 110 Edison Pulling off the job until moneys have been wired

Flag Status: Flagged

Gentlemen,

I have heard that the contracts with Hollister have been signed and they are picking up their check today. I just spoke with Ed Marchese and he told me I will have a wire on Wednesday because the check needs to clear. Our checks clear from giant clients like Edison properties IMMEDIATELY. We can not wait another single day for payment.

Unfortunately this job is putting is a bad position and we need to get at least 100k wired to us or a check by end of day from either Hollister or Edison properties. We agreed to execute this project quickly and we agreed to get funded in a timely manner. It has been three weeks of working on this project with no money. We have not been able to order equipment and have funded this job out of pocket. We have to pull off the job at the end of the day today, Friday October 12th, 2019 unless someone guarantees me that we will have 100K today via a check from someone and the balance on Wednesday wired and in our account before the end of day.

Please call Joe and I to discuss.

Tom Esposito
Director of Business Development
Green Star Energy
203-770-5252 Direct
888-500-6246
www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

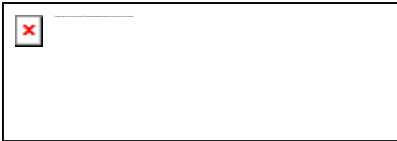
From: Tom Esposito <tomesposito@gogreenstar.com>
Sent: Tuesday, December 04, 2018 2:44 PM
To: Pasquale Suriano; Mazen Batarseh; Joe Novella; Daniel Walker
Subject: Fwd: 110 Edison Funding update

Gentlemen

Hollister is holding up payment on us. We gave them a pencil req in October and another one in November. Please read the email, below from Melissa in their office. Please let me know if you can push them to pay us.

Thank you,

Tom Esposito
Director of Business Development
Green Star Energy
203-770-5252 Direct
888-500-6246
www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

----- Forwarded message -----

From: Daniel Walker <danwalker@gogreenstar.com>
Date: Mon, Dec 3, 2018 at 10:43 AM
Subject: Fwd: 110 Edison Funding update
To: Joe Novella <joenovella@gogreenstar.com>, Tom Esposito <tomesposito@gogreenstar.com>

Just wanted to pass this along - doesn't look like 110 Edison money is coming this week.

----- Forwarded message -----

From: Stewart, Melissa <mstewart@hollistercs.com>
Date: Mon, Dec 3, 2018 at 10:37 AM
Subject: RE: 110 Edison Funding update
To: Daniel Walker <danwalker@gogreenstar.com>
Cc: Marchese, Ed <emarchese@hollistercs.com>, Pierce, Dayton <dpierce@hollistercs.com>, Marrone, Larisa <lmarrone@hollistercs.com>

Daniel,

I was not informed by Ed that any payment was to be released, the \$109K is a part of November billing for which we have not been paid yet.

Melissa Stewart

Project Accountant

Hollister Construction Services, LLC

339 Jefferson Road

Parsippany, NJ 07054

P: 201-393-7500

M: 201-452-7218

F: 201-393-8907

mstewart@hollistercs.com

www.hollistercs.com

TEAM “Together Everyone Achieves More”



From: Daniel Walker <danwalker@gogreenstar.com>

Sent: Monday, December 3, 2018 10:29 AM

To: Stewart, Melissa <mstewart@hollistercs.com>

Subject: Re: 110 Edison Funding update

The amount is \$109,893, and was submitted through procore around November 12th.

Thanks,

Dan

On Mon, Dec 3, 2018 at 10:26 AM Stewart, Melissa <mstewart@hollistercs.com> wrote:

Daniel,

What billing are you looking for payment on?

Melissa Stewart

Project Accountant

Hollister Construction Services, LLC

339 Jefferson Road

Parsippany, NJ 07054

P: 201-393-7500

M: 201-452-7218

F: 201-393-8907

mstewart@hollistercs.com

www.hollistercs.com

TEAM “Together Everyone Achieves More”



From: Daniel Walker <danwalker@gogreenstar.com>

Sent: Monday, December 3, 2018 10:25 AM

To: Stewart, Melissa <mstewart@hollistercs.com>

Subject: 110 Edison Funding update

Good morning Melissa

Ed Marchese mentioned that there would be a check available early this week for our project on 110 Edison.
Can you confirm, and if so, can we pick up?

Thanks,

Dan

--

Dan Walker

Chief Financial Officer

Green Star Energy

203-460-6814 Cell

888-500-6246

www.GoGreenStar.com

▪

483 Federal Road Brookfield, CT 06804

--

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--

Dan Walker

Chief Financial Officer

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888-500-6246

www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

From: Tom Esposito <tomesposito@gogreenstar.com>
Sent: Friday, November 09, 2018 11:07 AM
To: Pasquale Suriano; Joe Novella
Subject: LSK line of credit

Good speaking with you this morning Pasquale.

As per our conversation, if Edison could help us establish a 30 to 45 day credit line with LSK for Edison's projects it would make our work flow and cash flow much better on your projects.

We appreciate anything you can do for us.

Thank you and have a great weekend.

Tom Esposito
Director of Business Development
Green Star Energy
203-770-5252 Direct
888-500-6246
www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

From: Tom Esposito <tomesposito@gogreenstar.com>
Sent: Tuesday, December 04, 2018 2:44 PM
To: Pasquale Suriano; Mazen Batarseh; Joe Novella; Daniel Walker
Subject: Fwd: 110 Edison Funding update

Gentlemen

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Green Star Energy
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888-500-6246
www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

----- Forwarded message -----

From: Daniel Walker <danwalker@gogreenstar.com>
Date: Mon, Dec 3, 2018 at 10:43 AM
Subject: Fwd: 110 Edison Funding update
To: Joe Novella <joenovella@gogreenstar.com>, Tom Esposito <tomesposito@gogreenstar.com>

Just wanted to pass this along - doesn't look like 110 Edison money is coming this week.

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Date: Mon, Dec 3, 2018 at 10:37 AM
Subject: RE: 110 Edison Funding update
To: Daniel Walker <danwalker@gogreenstar.com>
Cc: Marchese, Ed <emarchese@hollistercs.com>, Pierce, Dayton <dpierce@hollistercs.com>, Marrone, Larisa <lmarrone@hollistercs.com>

Daniel,

I was not informed by Ed that any payment was to be released, the \$109K is a part of November billing for which we have not been paid yet.

Melissa Stewart

Project Accountant

Hollister Construction Services, LLC

339 Jefferson Road

Parsippany, NJ 07054

P: 201-393-7500

M: 201-452-7218

F: 201-393-8907

mstewart@hollistercs.com

www.hollistercs.com

TEAM “Together Everyone Achieves More”



From: Daniel Walker <danwalker@gogreenstar.com>

Sent: Monday, December 3, 2018 10:29 AM

To: Stewart, Melissa <mstewart@hollistercs.com>

Subject: Re: 110 Edison Funding update

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Melissa Stewart

Project Accountant

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P: 201-393-7500

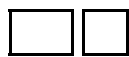
M: 201-452-7218

F: 201-393-8907

mstewart@hollistercs.com

www.hollistercs.com

TEAM “Together Everyone Achieves More”



From: Daniel Walker <danwalker@gogreenstar.com>

Sent: Monday, December 3, 2018 10:25 AM

To: Stewart, Melissa <mstewart@hollistercs.com>

Subject: 110 Edison Funding update

Good morning Melissa

Ed Marchese mentioned that there would be a check available early this week for our project on 110 Edison.
Can you confirm, and if so, can we pick up?

Thanks,

Dan

--

Dan Walker

Chief Financial Officer

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--

Dan Walker

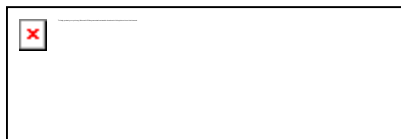
Chief Financial Officer

Green Star Energy

203-460-6814 Cell

888-500-6246

www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

From: Michael Marzouk <MichaelM@edprop.com>
Sent: Thursday, December 06, 2018 12:16 PM
To: Pasquale Suriano; Joe Novella
Cc: Tom Esposito; Mazen Batarseh; Daniel Walker
Subject: RE: 110 Edison Funding update

Will do. Thanks!

From: Pasquale Suriano
Sent: Thursday, December 6, 2018 12:11 PM
To: Joe Novella <joenovella@gogreenstar.com>; Michael Marzouk <MichaelM@edprop.com>
Cc: Tom Esposito <tomesposito@gogreenstar.com>; Mazen Batarseh <mazenb@edprop.com>; Daniel Walker <danwalker@gogreenstar.com>
Subject: RE: 110 Edison Funding update

Michael,
Please look into this and give me an answer today.
Thank you.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 100 Washington St. | Newark, NJ 07102

Direct (973) 849-2613

EDISON PROPERTIES



From: Joe Novella <joenovella@gogreenstar.com>
Sent: Thursday, December 6, 2018 12:07 PM
To: Pasquale Suriano <psuriano@edprop.com>
Cc: Tom Esposito <tomesposito@gogreenstar.com>; Mazen Batarseh <mazenb@edprop.com>; Daniel Walker <danwalker@gogreenstar.com>; Michael Marzouk <MichaelM@edprop.com>
Subject: Re: 110 Edison Funding update

Pasquale,

We are not being communicated with forthrightly from Hollister. We submitted a "pencil req" middle of October for \$67,000 and subsequently submitted an RFP for \$109,893 which was approved on 11-12-18. Hollister's account manager Melissa Stewart has advised my CFO that they have not been funded from Edison however Ed Marchese told me

personaly two weeks ago we would have payment on 12-1-18 (last week).
We have not recieved any payments since the contract deposit.

Please advise,
Joe

Joe Novella

CEO, Founder
203-947-9335
Building Scientist



On Tue, Dec 4, 2018 at 2:49 PM Pasquale Suriano <psuriano@edprop.com> wrote:

Be sure that Hollister pays promptly and gives releases from subs for all requisitions.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 100 Washington St. | Newark, NJ 07102

Direct (973) 849-2613



From: Tom Esposito <tomesposito@gogreenstar.com>

Sent: Tuesday, December 4, 2018 2:44 PM

To: Pasquale Suriano <psuriano@edprop.com>; Mazen Batarseh <mazenb@edprop.com>; Joe Novella <joenovella@gogreenstar.com>; Daniel Walker <danwalker@gogreenstar.com>

Subject: Fwd: 110 Edison Funding update

Gentlemen

Hollister is holding up payment on us. We gave them a pencil req in October and another one in November. Please read the email, below from Melissa in their office. Please let me know if you can push them to pay us.

Thank you,

Tom Esposito

Director of Business Development

Green Star Energy

203-770-5252 Direct

888-500-6246

www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

----- Forwarded message -----

From: **Daniel Walker** <danwalker@gogreenstar.com>

Date: Mon, Dec 3, 2018 at 10:43 AM

Subject: Fwd: 110 Edison Funding update

To: Joe Novella <joenovella@gogreenstar.com>, Tom Esposito <tomesposito@gogreenstar.com>

Just wanted to pass this along - doesn't look like 110 Edison money is coming this week.

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From: **Stewart, Melissa** <mstewart@hollistercs.com>

Date: Mon, Dec 3, 2018 at 10:37 AM

Subject: RE: 110 Edison Funding update

To: Daniel Walker <danwalker@gogreenstar.com>

Cc: Marchese, Ed <emarchese@hollistercs.com>, Pierce, Dayton <dpierce@hollistercs.com>, Marrone, Larisa <lmarrone@hollistercs.com>

Daniel,

I was not informed by Ed that any payment was to be released, the \$109K is a part of November billing for which we have not been paid yet.

Melissa Stewart

Project Accountant

Hollister Construction Services, LLC

339 Jefferson Road

Parsippany, NJ 07054

P: 201-393-7500

M: 201-452-7218

F: 201-393-8907

mstewart@hollistercs.com

www.hollistercs.com

TEAM “Together Everyone Achieves More”



From: Daniel Walker <danwalker@gogreenstar.com>

Sent: Monday, December 3, 2018 10:29 AM

To: Stewart, Melissa <mstewart@hollistercs.com>

Subject: Re: 110 Edison Funding update

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Dan Walker

Chief Financial Officer

Green Star Energy

203-460-6814 Cell

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Error! Filename not specified.

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483 Federal Road Brookfield, CT 06804

From: Michael Marzouk <MichaelM@edprop.com>
Sent: Thursday, December 06, 2018 3:21 PM
To: Pasquale Suriano; Joe Novella
Cc: Tom Esposito; Mazen Batarseh; Daniel Walker
Subject: RE: 110 Edison Funding update

Flag Status: Flagged

Pasquale,

I got in touch with Joe, explained to him that his October billing is included on Nov. billing on the owner side. The Nov. payment will be made by the end of this week to Hollister.

Also, Ed from HCS will get in touch with Joe to give him the guidelines and due dates for sub-contractor billing.

Thanks,
Michael

From: Pasquale Suriano
Sent: Thursday, December 6, 2018 12:11 PM
To: Joe Novella <joenovella@gogreenstar.com>; Michael Marzouk <MichaelM@edprop.com>
Cc: Tom Esposito <tomesposito@gogreenstar.com>; Mazen Batarseh <mazenb@edprop.com>; Daniel Walker <danwalker@gogreenstar.com>
Subject: RE: 110 Edison Funding update

Michael,
Please look into this and give me an answer today.
Thank you.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 100 Washington St. | Newark, NJ 07102

Direct (973) 849-2613

EDISON PROPERTIES



From: Joe Novella <joenovella@gogreenstar.com>
Sent: Thursday, December 6, 2018 12:07 PM
To: Pasquale Suriano <psuriano@edprop.com>
Cc: Tom Esposito <tomesposito@gogreenstar.com>; Mazen Batarseh <mazenb@edprop.com>; Daniel Walker <danwalker@gogreenstar.com>; Michael Marzouk <MichaelM@edprop.com>
Subject: Re: 110 Edison Funding update

Pasquale,

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Please advise,
Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



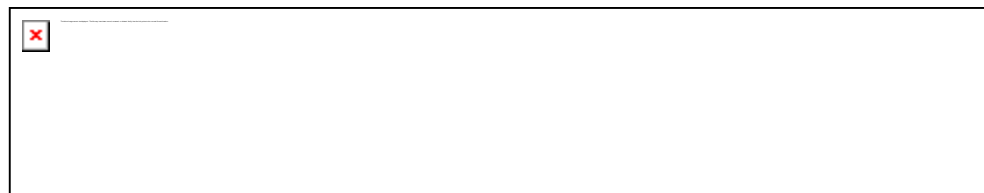
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Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 100 Washington St. | Newark, NJ 07102

Direct (973) 849-2613



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Tom Esposito

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203-770-5252 Direct

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www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

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TEAM “Together Everyone Achieves More”



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TEAM “Together Everyone Achieves More”

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--

Dan Walker

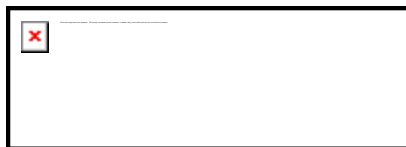
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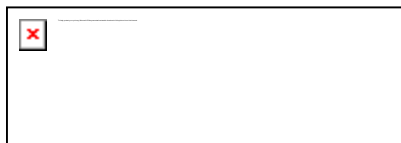
483 Federal Road Brookfield, CT 06804

From: Tom Esposito <tomesposito@gogreenstar.com>
Sent: Friday, March 22, 2019 11:24 AM
To: Pasquale Suriano
Cc: Joe Novella
Subject: Checking in

Good morning Pasquale

Just checking in to see if you were able to release our Feb req for 101K?
Thank you for your help.

Tom Esposito
Director of Business Development
Green Star Energy
203-770-5252 Direct
888-500-6246
www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

From: Joe Novella <joenovella@gogreenstar.com>
Sent: Friday, December 14, 2018 12:59 PM
To: Ed; MichaelM@edprop.com; Mazen Batarseh; Pasquale Suriano
Cc: Tom Esposito; Daniel Walker
Subject: Re: 110 Edison Funding update

Flag Status: Flagged

I'm just not getting paid on this job and the we've been in idle mode for two months. I'm going to pull my team for a few weeks until there is funding and permits.

Thanks,
Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Wed, Dec 12, 2018 at 12:50 PM Joe Novella <joenovella@gogreenstar.com> wrote:

Michael,

I was just informed by Hollister that we will not be paid until the end of the year. What happened to this week?

Joe

On Thu, Dec 6, 2018, 15:40 Pasquale Suriano <psuriano@edprop.com> wrote:

Thanks.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 100 Washington St. | Newark, NJ 07102

Direct (973) 849-2613

From: Michael Marzouk

Sent: Thursday, December 6, 2018 3:21 PM

To: Pasquale Suriano <psuriano@edprop.com>; Joe Novella <joenovella@gogreenstar.com>

Cc: Tom Esposito <tomesposito@gogreenstar.com>; Mazen Batarseh <mazenb@edprop.com>; Daniel Walker <danwalker@gogreenstar.com>

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Subject: RE: 110 Edison Funding update

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Thank you.

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Edison Properties | 100 Washington St. | Newark, NJ 07102

Direct (973) 849-2613

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Building Scientist

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483 Federal Road Brookfield, CT 06804

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Date: Mon, Dec 3, 2018 at 10:43 AM

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To: Joe Novella <joenovella@gogreenstar.com>, Tom Esposito <tomesposito@gogreenstar.com>

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TEAM “Together Everyone Achieves More”

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483 Federal Road Brookfield, CT 06804

From: Tom Esposito <tomesposito@gogreenstar.com>
Sent: Wednesday, February 06, 2019 1:13 PM
To: Mazen Batarseh; Pasquale Suriano
Cc: Joe Novella; Chris Puleo; Bruce Benson; Daniel Walker
Subject: We need your assistance to complete 110
Attachments: S2221677-0001_9746 (1).pdf

Flag Status: Flagged

Pasquale and Mazen

We need some help. When we last meet face to face at the controls meeting I mentioned that we needed your assistance getting the balance of the equipment so we can finish your offices. Because of the payment issues we have experienced with Hollister our cash flows have been destroyed on this job.

We need to use the Edison credit line with LSK the Mitsubishi supplier. Green Star doesn't have a credit line with LSK. LSK has all of the Mitsubishi equipment waiting for either payment or a credit line to secure the delivery for the balance of the 3rd floor of 110 Edison. They suggested that Edison issue a PO for the balance of the equipment with terms of 30 days that would be the responsibility of Green Star for payment after 30 days. This accommodation for Green Star, by Edison, would allow us to get all of the equipment delivered and installed within 5 1/2 to 6 weeks of delivery. The only thing we would need to commission the system would be the permanent power supplies to the condensers and power to all the indoor units.

We need to finish your offices asap so we can move on to other work in your building, if you award us the work, and to our Stewart hotel project starting at the beginning of April for the next 1 1/2 year project. Even with our hotel project we will still have a dedicated crew of 5 to 6 installers and technicians for your Newark work as well as another crew of 7 to 8 for your mini storage projects.

I have attached the final invoice for Mitsubishi equipment we need to complete your project. If the cash flows had been more consistent from Hollister we would NOT be making this request.

Thank you the business gentlemen. We are dedicated to providing value and excellence to our best client, Edison properties.

Please call me to discuss.

Tom Esposito
Director of Business Development
Green Star Energy
203-770-5252 Direct
888-500-6246
www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

From: Tom Esposito <tomesposito@gogreenstar.com>
Sent: Friday, March 22, 2019 2:00 PM
To: Pasquale Suriano
Cc: Joe Novella; Michael Marzouk; Greg Maser; Mazen Batarseh
Subject: Re: Checking in

Thank you Pasquale. Have a great weekend. TOM

Sent from my iPhone

On Mar 22, 2019, at 1:35 PM, Pasquale Suriano <psuriano@edprop.com> wrote:

The Hollister req shows a \$225k +/- billed in February. We are deducting \$130,000 +/- to pay Luce and the balance will be paid to you.

Michael – deduct the balance going to Hollister and pay Green Star directly.

Thanks.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 100 Washington St. | Newark, NJ

07102

Direct (973) 849-2613

<image001.jpg>

From: Tom Esposito <tomesposito@gogreenstar.com>

Sent: Friday, March 22, 2019 11:24 AM

To: Pasquale Suriano <psuriano@edprop.com>

Cc: Joe Novella <joenovella@gogreenstar.com>

Subject: Checking in

Good morning Pasquale

Just checking in to see if you were able to release our Feb req for 101K?

Thank you for your help.

Tom Esposito
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Green Star Energy
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888-500-6246
www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

From: Tom Esposito <tomesposito@gogreenstar.com>
Sent: Thursday, March 28, 2019 10:25 AM
To: Pasquale Suriano; Michael Marzouk
Cc: Joe Novella; Greg Maser; Mazen Batarseh; Chris Puleo; Bruce Benson
Subject: Re: Checking in

Michael,

Can we get a timetable for these funds to be released to Green Star and LSK?

Please let me know asap.

Tom Esposito
Director of Business Development
Green Star Energy
203-770-5252 Direct
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483 Federal Road Brookfield, CT 06804

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483 Federal Road Brookfield, CT 06804

From: Joe Novella <joenovella@gogreenstar.com>
Sent: Monday, July 15, 2019 3:26 PM
To: Pasquale Suriano; Mazen Batarseh
Subject: 110 Edison

Flag Status: Flagged

Pasquale and Mazen,

We have not received any payment from Hollister which put's us out three months since getting any payment on the project. Hollister is not providing much information either. This has become a financial hardship for us, can you please provide us with any information as to how this is going to ultimately be handled. The balance of contract is \$236,418.

Thanks,
Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



From: Joe Novella <joenovella@gogreenstar.com>
Sent: Friday, June 14, 2019 3:51 PM
To: Pasquale Suriano
Subject: Re: 543 W 43 rd street it room HVAC unit

I'm going by what Ming told me which is that he got a job in Newark from a company he met at the job site. My payroll was current at the end May, it's ironic that you would chastise me for not making payments when Edison Properties owes me hundreds of thousands of dollars.

I don't want to fight Pasquale, I've emailed you in the past few weeks and spoke to Joe P. several times. I'm trying to be 100% above board with UA and Edison. I told you when we took the Ironside job that we were too busy and did not have the finances to take on another \$1.1MM in work. I knew that the collective cash demand especially at the end of the jobs would be too much.

I'm sorry but this is a crushing problem for me and my employees at this time.

Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Fri, Jun 14, 2019 at 3:32 PM Pasquale Suriano <psuriano@edprop.com> wrote:

Do not make accusations, especially in writing, you know nothing about! Maybe your employees would have stayed with you if you paid them.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 100 Washington St. | Newark, NJ 07102

Direct (973) 849-2613

EDISON PROPERTIES



WORKSPACE
OFFICES

HIPPODROME
NYC

manhattan
mini storage

IRONSIDE
NEWARK

THE LUDLOW

ReadySet!

From: Joe Novella <joenovella@gogreenstar.com>

Sent: Friday, June 14, 2019 3:05 PM

To: Bryan Antoncic <bryan@uabuildersgroup.com>

Cc: Joe Pipia <JoeP@edprop.com>; Tom Esposito <tomesposito@gogreenstar.com>; bradleyd@uabuildersgroup.com;

Pasquale Suriano <psuriano@edprop.com>; Tom Kwon <TomK@ManhattanMiniStorage.com>; Satyam Shah

<SatyamS@ManhattanMiniStorage.com>

Subject: Re: 543 W 43 rd street it room HVAC unit

No we don't, unfortunately our lead Mitsubishi service tech was poached by either Edison or one of their contractors at our Ironside Newark job with them a couple of weeks ago. The only other Mitsubishi tech we have in on vacation so we can't do an emergency call.

Sorry,

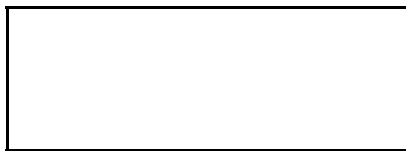
Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Fri, Jun 14, 2019 at 3:02 PM Bryan Antoncic <bryan@uabuildersgroup.com> wrote:

Joe/Tom,

Do you have anyone available in the area that can service this unit?

Thank you,

Bryan Antoncic

> On Jun 14, 2019, at 2:50 PM, Joe Pipia <JoeP@edprop.com> wrote:

>

> Brad

> Please be advised that the IT room at 543 W 43rd street is not working and requires immediate attention .

> The equipment in the IT is very expensive and requires a temp of 72 degrees to be maintained at all times.

> Please send a service tech ASAP.

>

>

>

> Joseph Pipia

> Edison Construction Management

> 188 Ludlow street

> New York NY 10002

> Cell # 516 457-4772

>

From: Michael Marzouk <MichaelM@edprop.com>
Sent: Thursday, March 28, 2019 3:10 PM
To: Tom Esposito; Pasquale Suriano
Cc: Joe Novella; Greg Maser; Mazen Batarseh; Chris Puleo; Bruce Benson
Subject: RE: Checking in

Checks will be ready Monday.

From: Tom Esposito <tomesposito@gogreenstar.com>
Sent: Thursday, March 28, 2019 10:25 AM
To: Pasquale Suriano <psuriano@edprop.com>; Michael Marzouk <MichaelM@edprop.com>
Cc: Joe Novella <joenovella@gogreenstar.com>; Greg Maser <GregM@edprop.com>; Mazen Batarseh <mazenb@edprop.com>; Chris Puleo <chrispuleo@gogreenstar.com>; Bruce Benson <brucebenson@gogreenstar.com>
Subject: Re: Checking in

Michael,

Can we get a timetable for these funds to be released to Green Star and LSK?

Please let me know asap.

Tom Esposito
Director of Business Development
Green Star Energy
203-770-5252 Direct
888-500-6246
www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

On Fri, Mar 22, 2019 at 2:00 PM Tom Esposito <tomesposito@gogreenstar.com> wrote:

Thank you Pasquale. Have a great weekend. TOM

Sent from my iPhone

On Mar 22, 2019, at 1:35 PM, Pasquale Suriano <psuriano@edprop.com> wrote:

The Hollister req shows a \$225k +/- billed in February. We are deducting \$130,000 +/- to pay Luce and the balance will be paid to you.

Michael – deduct the balance going to Hollister and pay Green Star directly.

Thanks.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 100 Washington St. | Newark, NJ
07102

Direct (973) 849-2613

<image001.jpg>

From: Tom Esposito <tomesposito@gogreenstar.com>

Sent: Friday, March 22, 2019 11:24 AM

To: Pasquale Suriano <psuriano@edprop.com>

Cc: Joe Novella <joenovella@gogreenstar.com>

Subject: Checking in

Good morning Pasquale

Just checking in to see if you were able to release our Feb req for 101K?

Thank you for your help.

Tom Esposito

Director of Business Development

Green Star Energy

203-770-5252 Direct

888-500-6246

www.GoGreenStar.com



483 Federal Road Brookfield, CT 06804

From: Joe Novella <joenovella@gogreenstar.com>
Sent: Wednesday, July 17, 2019 2:12 PM
To: Pasquale Suriano
Cc: Mazen Batarseh; Michael Marzouk; Robert Gerardo
Subject: Re: FW: 110 EDISON JOB

Flag Status: Flagged

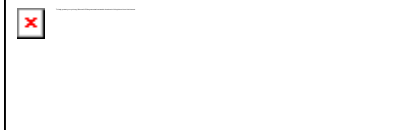
Pasquale,
Thats fine, are the ERV's in operation, is the system working okay?

I don't know what other back charges you have but including the Mitsubishi equipment credit our final req is \$236,000. Is there any way we could get even a small partial payment?

Thanks,
Joe

Joe Novella

CEO, Founder
203-947-9335
Building Scientist



On Wed, Jul 17, 2019 at 12:45 PM Pasquale Suriano <psuriano@edprop.com> wrote:

This invoice will be paid directly and backcharged to your account, + mark up for processing.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 110 Edison Place – Suite 300 | Newark, NJ 07102

Direct (973) 849-2613

EDISON PROPERTIES

**WORKSPACE**
OFFICESHIPPODROME
NYCmanhattan
mini storageIRONSIDE
NEWARK

THE LUDLOW

ReadySet!

From: Kevin Gallen <kevin@gallenengineering.com>

Sent: Tuesday, July 16, 2019 4:40 PM

To: Pasquale Suriano <psuriano@edprop.com>; Robert Gerardo <RobertG@IronsidesNewark.com>

Subject: Fwd: 110 EDISON JOB

Pasquale,

Per our conversation, see below and attached.



Kevin Gallen, PE

President

Gallen Engineering LLC

(917) 428-6396

kevin@gallenengineering.com

www.gallenengineering.com

* * * Office Hours: 9:30am-4:30pm, Monday-Friday * * *

----- Forwarded message -----

From: Herb Marone <hmarone@airequipmentllc.com>

Date: Thu, Jul 11, 2019 at 10:17 AM

Subject: 110 EDISON JOB

To: tim.greiner@am.jll.com <tim.greiner@am.jll.com>, frank.recine@am.jll.com <frank.recine@am.jll.com>

Cc: kevin@gallenengineering.com <kevin@gallenengineering.com>

Good morning,

Back In April of this year we supplied 2 ERV units to Greenstar Energy Solutions for a job located at 110 Edison Place (see attached invoice). We are still owed a balance of \$11,677.23

I just learned that Greenstar Energy Solutions is owed hundreds of thousands of dollars for this job.

We are a small supplier out of CT and cannot wait 90 plus days to get paid. We will have no choice but to put a lien on the property if we are not paid the balance due.

Any assistance you can provide in this matter would be greatly appreciated.

Thank you,
Herb

Herbert Marone
Controller

DIRECT LINE: 860-709-9744

hmarone@airequipmentllc.com

From: Joe Novella <joenovella@gogreenstar.com>
Sent: Wednesday, July 17, 2019 2:37 PM
To: Pasquale Suriano
Subject: Re: FW: 110 EDISON JOB

Flag Status: Flagged

We absolutely did not abandon the project, The entire VRF system was fully operational, we had one day of work on May 30th to install the ERV dampers and my crew was there THAT morning when we were kicked off the job without notice. Even after this we cooperated with any requests made and were available to perform additional work. Nobody from Edison ever gave us a punch list or communicated in any way.

I told the ERV supplier to contact you directly as we don't have any working capital at this time.

Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Wed, Jul 17, 2019 at 2:29 PM Pasquale Suriano <psuriano@edprop.com> wrote:

You're kidding right? You abandoned the project, left us with a pile of ____ to complete, we're getting unpaid invoices that we had no knowledge of, etc. What is out there??? Do you need to hear more?

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 110 Edison Place – Suite 300 | Newark, NJ 07102

Direct (973) 849-2613

EDISON PROPERTIES



WORKSPACE
OFFICES

HIPPODROME
NYC

manhattan
mini storage

IRONSIDE
NEWARK

FLUDLOW

ReadySet!

From: Joe Novella <joenovella@gogreenstar.com>

Sent: Wednesday, July 17, 2019 2:12 PM

To: Pasquale Suriano <psuriano@edprop.com>

Cc: Mazen Batarseh <mazenb@edprop.com>; Michael Marzouk <MichaelM@edprop.com>; Robert Gerardo <RobertG@IronsidesNewark.com>

Subject: Re: FW: 110 EDISON JOB

Pasquale,

Thats fine, are the ERV's in operation, is the system working okay?

I don't know what other back charges you have but including the Mitsubishi equipment credit our final req is \$236,000. Is there any way we could get even a small partial payment?

Thanks,

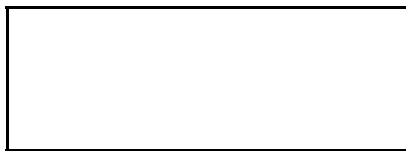
Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Wed, Jul 17, 2019 at 12:45 PM Pasquale Suriano <psuriano@edprop.com> wrote:

This invoice will be paid directly and backcharged to your account, + mark up for processing.

Pasquale Suriano | Executive Vice President of Engineering & Construction

Edison Properties | 110 Edison Place – Suite 300 | Newark, NJ 07102

Direct (973) 849-2613

From: Kevin Gallen <kevin@gallenengineering.com>

Sent: Tuesday, July 16, 2019 4:40 PM

To: Pasquale Suriano <psuriano@edprop.com>; Robert Gerardo <RobertG@IronsidesNewark.com>

Subject: Fwd: 110 EDISON JOB

Pasquale,

Per our conversation, see below and attached.

Kevin Gallen, PE

President

Gallen Engineering LLC

(917) 428-6396

kevin@gallenengineering.com

www.gallenengineering.com

*** Office Hours: 9:30am-4:30pm, Monday-Friday ***

----- Forwarded message -----

From: **Herb Marone** <hmarone@airequipmentllc.com>

Date: Thu, Jul 11, 2019 at 10:17 AM

Subject: 110 EDISON JOB

To: tim.greiner@am.jll.com <tim.greiner@am.jll.com>, frank.recine@am.jll.com <frank.recine@am.jll.com>

Cc: kevin@gallenengineering.com <kevin@gallenengineering.com>

Good morning,

Back In April of this year we supplied 2 ERV units to Greenstar Energy Solutions for a job located at 110 Edison Place (see attached invoice). We are still owed a balance of \$11,677.23

I just learned that Greenstar Energy Solutions is owed hundreds of thousands of dollars for this job.

We are a small supplier out of CT and cannot wait 90 plus days to get paid. We will have no choice but to put a lien on the property if we are not paid the balance due.

Any assistance you can provide in this matter would be greatly appreciated.

Thank you,
Herb

Herbert Marone
Controller

DIRECT LINE: 860-709-9744

hmarone@airequipmentllc.com

EXHIBIT E



Joe Novella <joenovella@gogreenstar.com>

Re: Green Star Payments

1 message

Joe Novella <joenovella@gogreenstar.com>

Tue, Jul 28, 2020 at 8:29 AM

To: Joe Pipia <JoeP@edprop.com>

Cc: Pasquale Suriano <psuriano@edprop.com>, Lenny Figueroa <LennyF@edprop.com>

Bcc: Laleh Hawa <hawa@cpsslaw.com>

Joe,

Who made the decision to have another company do Green Star's warranty work?

Your "issues" list represents a few thousand dollars or warranty work, but Edison and UA are going to withhold \$71,177.95 final payment?

Please explain.

Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



On Mon, Jul 27, 2020 at 8:15 PM Joe Pipia <JoeP@edprop.com> wrote:

Joe

Attached is an email with just a few of the issues we've found by our in-house Tech Lenny not to mention the additional thousands dollars we are paying another subcontractor and the Mitsubishi team for all the back and forth that had to do properly startup and warrantee your work . We are now having to go back to the site to provide line lengths that Greenstar never provided or I should say never provided the correct info(Line lengths) in the DSB AS built submitted to UA .

You were contracted by UA so please communicate directly with UA as I've mentioned in the past..

Thank you !

From: Pasquale Suriano <psuriano@edprop.com>**Sent:** Monday, July 27, 2020 11:01 AM**To:** Joe Novella <joenovella@gogreenstar.com>

Cc: Joe Pipia <JoeP@edprop.com>; Victoria Morrison <VictoriaM@edprop.com>

Subject: Re: Green Star Payments

Joe,

I'll have to respond with "you've got to be kidding me!"

1. Besides costing us over \$250k to fix and complete Ironside that you left in a shambles (and still counting), you worked for hollister, who filed bankruptcy. If you have an issue, you need to make a claim w the bankruptcy courts.

2. The same is basically true at 43rd street but Joe can fill in the financial details.

Please do not reach out to me directly going forward. If you have any questions, please have your attorney reach out to our general counsel (cc'd here). There will be a substantial claim brought against your company when this all shakes out.

Thank you.

Get [Outlook for iOS](#)

From: Joe Novella <joenovella@gogreenstar.com>

Sent: Monday, July 27, 2020 10:33:27 AM

To: Pasquale Suriano <psuriano@edprop.com>

Cc: Joe Pipia <JoeP@edprop.com>

Subject: Green Star Payments

[CAUTION! EXTERNAL SENDER]

Pasquale,

I have reached out to Joe Pipia several times over the past several months regarding final payment for 543 West 47th St. and have been ignored. This job was completed 10 months ago and the general contractor, UA, just informed me that Green Star will not be receiving final payment. Additionally Edison still owes me \$220g on the Ironside project which was completed 14 months ago, as you know this has perpetuated a financial hardship for me, I want to know why payment has not been forthcoming and I'm demanding immediate resolution and **final payment**.

Joe

Joe Novella

CEO, Founder

203-947-9335

Building Scientist



EXHIBIT F



Joe Novella <joenovella@gogreenstar.com>

543 W 43rd Street, NYC

1 message

Pasquale Suriano <psuriano@edprop.com>

Thu, Aug 6, 2020 at 9:40 AM

To: Joe Novella <joenovella@gogreenstar.com>

Cc: Joe Pipia <JoeP@edprop.com>, Bryan Antoncic <bryan@uagrp.com>, Pasquale Suriano <psuriano@edprop.com>

Dear Mr. Novella,

Pursuant to our conversation on Tuesday, August 4, 2020, Edison/UA is offering you a final settlement of \$10,500 as full and final payment for all your alleged outstanding invoices on the above referenced project. This is contingent upon the satisfaction of a mechanics lien on the building filed by one of your suppliers, the full release and indemnification of both ownership and UA Builders against all claims, expenses, etc. and handing over a complete and accurate DSB file that we need to accurately maintain and diagnose the HVAC systems in the future.

As you were made aware of on our call, ownership has used our own in house mechanics and has brought in an outside HVAC contractor to complete and/or repair your work, that you abandoned, breaching your contractual obligations. A complete and thorough list of all of the work we performed that was your responsibility can be provided upon request.

Please understand THAT THIS IS NOT A NEGOTIATION nor are we admitting any fault or negligence. Our accounting (UA + Edison) actually shows that you owe us money. This offer is merely an attempt to amicably settle our differences and move on. Please advise by Monday 8/10/2020 if this proposal is acceptable. If not, we will pursue our contractual rights to move these matters forward.

Thank you.

Pasquale Suriano | Executive Vice President of Engineering & ConstructionEdison Properties | [110 Edison Place](#) – Suite 300 | [Newark, NJ 07102](#)

Direct (973) 849-2613

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
GREEN STAR ENERGY SOLUTIONS, LLC,

Plaintiff(s),

Index No. 651345/2021

-against-

AFFIDAVIT OF SERVICE

EDISON PROPERTIES, LLC, et al,

Defendant(s).

-----X
STATE OF NEW YORK)
S.S.:
COUNTY OF NEW YORK)

RICARDO DELPRATT, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, METRO ATTORNEY SERVICE INC., and is not a party to this action.

That on the 10th day of March, 2021, at approximately 12:32 PM, deponent served a true copy of the Summons, Complaint and Notice of Electronic Filing upon JOE PIPIA at 188 Ludlow Street, Apt. 3A, New York, New York, by personally delivering and leaving the same with JOE PIPIA at that address. At the time of service, deponent asked JOE PIPIA whether he is in active military service or dependent upon someone in active military service for the United States of America or for the State in any capacity whatever and received a negative reply.

JOE PIPIA is a white male, approximately 68 years of age, stands approximately 6 feet 0 inches tall, weighs approximately 230 pounds with black and gray hair.



RICARDO DELPRATT #2094495

Sworn to before me this
11th day of March, 2021



NOTARY PUBLIC

EVAN COHAN
NOTARY PUBLIC & ATTORNEY AT LAW OF NY
NO. 02C04998577
QUALIFIED IN ROCKLAND COUNTY
CERTIFICATE FILED IN NEW YORK COUNTY
COMMISSION EXPIRES JUNE 29, 2022

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

GREEN STAR ENERGY SOLUTIONS, LLC,

Plaintiff,

Index No.: 651345/2021

-against-

AFFIDAVIT OF SERVICE

EDISON PROPERTIES, LLC, ET AL.,

Defendants.

COUNTY OF ALBANY SS:
STATE OF NEW YORK

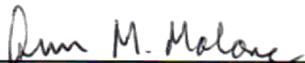
Jeffrey Teitel being duly sworn, deposes and says that he is over the age of eighteen years, is not a party to this action and is acting as agent of **METRO ATTORNEY SERVICE INC.**

That on the 10th day of March, 2021 at approximately the time of 11:30 AM at the office of the Secretary of State, of the State of New York, in the City of Albany, New York, deponent personally served the Summons, Complaint and Notice of Electronic Filing on **UA BUILDERS CORP.** by delivering and leaving with Colleen Banahan, an agent of the Secretary of State, of the State of New York, two (2) true copies thereof and at the time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to section 306 of the Business Corporation Law.

Deponent further states that he knew the person so served as aforesaid to be the individual on the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of the said defendant.

Colleen Banahan is a white female, approximately 40 years of age, stands 5 feet 7 inches tall, weight approximately 225 pounds with brown hair.

Sworn to before me this 10th day of
March, 2021



Ann M. Malone
Notary Public, State of New York
Qualified in Albany County
No. 01MA6410748
Commission Expires November 02, 2024


Jeffrey Teitel

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

GREEN STAR ENERGY SOLUTIONS, LLC,

Plaintiff,

Index No.: 651345/2021

-against-

AFFIDAVIT OF SERVICE

EDISON PROPERTIES, LLC, ET AL.,

Defendants.

COUNTY OF ALBANY SS:
STATE OF NEW YORK

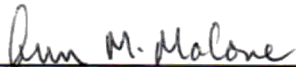
Jeffrey Teitel being duly sworn, deposes and says that he is over the age of eighteen years, is not a party to this action and is acting as agent of **METRO ATTORNEY SERVICE INC.**

That on the 10th day of March, 2021 at approximately the time of 11:30 AM at the office of the Secretary of State, of the State of New York, in the City of Albany, New York, deponent personally served the Summons, Complaint and Notice of Electronic Filing on **EDISON CONSTRUCTION MANAGEMENT, LLC** by delivering and leaving with Colleen Banahan, an agent of the Secretary of State, of the State of New York, two (2) true copies thereof and at the time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to section 303 of the Limited Liability Company Law.

Deponent further states that he knew the person so served as aforesaid to be the individual on the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of the said defendant.

Colleen Banahan is a white female, approximately 40 years of age, stands 5 feet 7 inches tall, weight approximately 225 pounds with brown hair.

Sworn to before me this 10th day of
March, 2021



Ann M. Malone
Notary Public, State of New York
Qualified in Albany County
No. 01MA6410748
Commission Expires November 02, 2024


Jeffrey Teitel

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

GREEN STAR ENERGY SOLUTIONS, LLC,

Plaintiff,

Index No.: 651345/2021

-against-

AFFIDAVIT OF SERVICE

EDISON PROPERTIES, LLC, ET AL.,

Defendants.

COUNTY OF ALBANY SS:
STATE OF NEW YORK

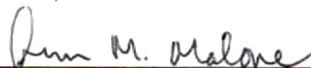
Jeffrey Teitel being duly sworn, deposes and says that he is over the age of eighteen years, is not a party to this action and is acting as agent of **METRO ATTORNEY SERVICE INC.**

That on the 10th day of March, 2021 at approximately the time of 11:30 AM at the office of the Secretary of State, of the State of New York, in the City of Albany, New York, deponent personally served the Summons, Complaint and Notice of Electronic Filing on **EDISON PROPERTIES, LLC** by delivering and leaving with Colleen Banahan, an agent of the Secretary of State, of the State of New York, two (2) true copies thereof and at the time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to section 303 of the Limited Liability Company Law.

Deponent further states that he knew the person so served as aforesaid to be the individual on the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of the said defendant.

Colleen Banahan is a white female, approximately 40 years of age, stands 5 feet 7 inches tall, weight approximately 225 pounds with brown hair.

Sworn to before me this 10th day of
March, 2021



Ann M. Malone
Notary Public, State of New York
Qualified in Albany County
No. 01MA6410748
Commission Expires November 02, 2024


Jeffrey Teitel

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
GREEN STAR ENERGY SOLUTIONS, LLC,

Plaintiff(s),

Index No. 651345/2021

-against-

AFFIDAVIT OF SERVICE

EDISON PROPERTIES, LLC, et al,

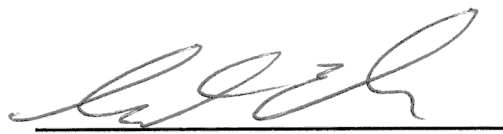
Defendant(s).

-----X
STATE OF NEW JERSEY)
S.S.:
COUNTY OF OCEAN)

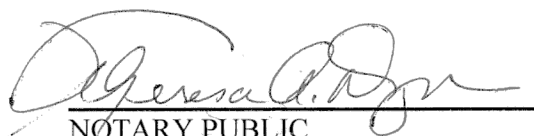
MARTIN EBERT, being duly sworn, deposes and says that he is over the age of eighteen years, is an agent of METRO ATTORNEY SERVICE INC., and is not a party to this action.

That on the 13th day of March, 2021, at approximately 1:34 PM, deponent served a true copy of the Summons, Complaint and Notice of Electronic Filing upon PASQUALE SURIANO at 4 Wonderview Way, Lebanon, New Jersey, by personally delivering and leaving the same with PASQUALE SURIANO at that address. At the time of service, deponent asked PASQUALE SURIANO whether he is in active military service or dependent upon someone in active military service for the United States of America or for the State in any capacity whatever and received a negative reply.

PASQUALE SURIANO is a white male, approximately 65 years of age, stands approximately 5 feet 8 inches tall, weighs approximately 160 pounds with black and gray hair.


MARTIN EBERT

Sworn to before me this
15th day of March, 2021


NOTARY PUBLIC
THERESA A. DINGMAN
NOTARY PUBLIC OF NEW JERSEY
Comm. # 2227754
My Commission Expires 4/15/2023